

HARDY AND CAREY, L.L.P.  
ATTORNEYS AT LAW  
111 VETERANS BOULEVARD  
SUITE 255  
METAIRIE, LOUISIANA 70005  
TELEPHONE: 504-830-4646  
TELEFAX 504-830-4659

RECEIVED

JAN 23 1997

Federal Communications Commission  
Office of Secretary

January 23, 1997

1730.007

DOCKET FILE COPY ORIGINAL

**BY HAND**

Mr. William F. Caton  
Acting Secretary  
Federal Communications Commission  
1919 M Street, N.W.  
Washington, D.C. 20554

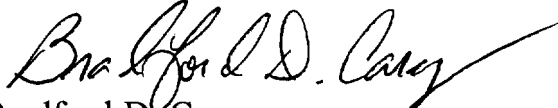
RE: Comments on the Sixth Notice of Proposed Rulemaking  
on Advanced Television Service  
MM Docket No. 87-268  
*Reply Comments of Folse Productions, Inc.*

Dear Mr. Caton:

Enclosed please find the original and nine (9) copies of Reply  
Comments of Folse Productions, Inc. for filing with the FCC in connection  
with the above-captioned.

If you have any questions regarding this matter, please do not hesitate  
to contact me.

Yours truly,

  
Bradford D. Carey

BDC/mv  
Enclosures

s:\1730.007\970122.lwc

No. of Copies rec'd  
List ABCDE

029

RECEIVED

JAN 23 1997

Federal Communications Commission  
Office of Secretary

Before the  
**Federal Communications Commission**  
Washington, D.C. 20554

In the Matter of )  
 )  
COMMENTS ON THE SIXTH NOTICE OF ) MM Docket No.  
PROPOSED RULEMAKING ) 87-268  
 )  
ON ADVANCED TELEVISION SERVICE )

TO: The Commission

REPLY COMMENTS  
OF  
FOLSE PRODUCTIONS, INC.

Folse Productions, Inc. ("Folse") by its undersigned Counsel hereby states its Reply Comments to certain Comments filed in response to the Sixth Notice of Proposed Rulemaking on Advanced Television Service. Folse is the Licensee of Low Power Television ("LPTV") Stations K30EM, Houma, Louisiana and K07UT, Morgan City, Louisiana.<sup>1</sup>

Notwithstanding that LPTV Stations are classified as "secondary" services, some LPTV stations provide vital local programming, including news and information, that is not available otherwise. Folse's Houma station, K30EM, is such a station.<sup>2</sup> It is licensed to serve Houma, Louisiana, a

---

<sup>1</sup>As the licensee of a LPTV station, which may be vulnerable to being "bumped" from its allocation as the Commission substitutes Advanced Television ("ATV") for the present NTSC system, Folse clearly has standing to advance these Reply Comments.

<sup>2</sup>Folse's Morgan City station rebroadcasts K30EM so as to better cover the bayou area.

community to which no "full power" station is licensed. The nearest "full power" television stations are in Baton Rouge and New Orleans. These cities are too far from Houma, and Houma is too remote and isolated from these cities for television stations licensed to Baton Rouge and New Orleans to cover anything other than the most of news stories in Houma and the area surrounding Houma. Folse's LPTV station, however covers the news in Houma and the surrounding area on a daily basis.

Were K30EM to be forced off the air, the residents of Houma and the surrounding area would be deprived of the area's only local television broadcast news operation.<sup>3</sup> This would hardly represent either a step forward or a furtherance of the public interest for residents of Houma and the surrounding areas.

The strong public interest in continuation of K30EM and K07UT are demonstrated in the attached letter from the local governing body.

Therefore, Folse urges that the public interest demands that LPTV stations, certainly those such as K30EM and K07UT that broadcast local news and programming, be protected from being forced off the air by ATV stations.

Folse understands that at least one proposal before the Commission would result in elimination of some or all of the VHF television channels and / or some of the UHF television

---

<sup>3</sup>The loss of K07UT would impact Morgan City particularly hard because of the \_\_\_\_\_ more remote location of Morgan City.

community to which no "full power" station is licensed. The nearest "full power" television stations are in Baton Rouge and New Orleans. These cities are too far from Houma, and Houma is too remote and isolated from these cities for television stations licensed to Baton Rouge and New Orleans to cover anything other than the most of news stories in Houma and the area surrounding Houma. Folse's LPTV station, however covers the news in Houma and the surrounding area on a daily basis.

Were K30EM to be forced off the air, the residents of Houma and the surrounding area would be deprived of the area's only local television broadcast news operation.<sup>3</sup> This would hardly represent either a step forward or a furtherance of the public interest for residents of Houma and the surrounding areas.

The strong public interest in continuation of K30EM and K07UT are demonstrated in the attached letter from the local governing body.

Therefore, Folse urges that the public interest demands that LPTV stations, certainly those such as K30EM and K07UT that broadcast local news and programming, be protected from being forced off the air by ATV stations.

Folse understands that at least one proposal before the Commission would result in elimination of some or all of the VHF television channels and / or some of the UHF television

---

<sup>3</sup>The loss of K07UT would impact Morgan City particularly hard because of the more remote location of Morgan City.

channels. Unless all existing authorized stations, including LPTV stations, are adequately accommodated, adoption of such a proposal to shrink the spectrum constituting the television broadcast bands would be patently contrary to the public interest.

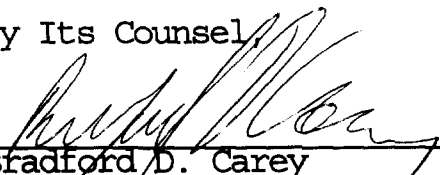
Folse is aware of the peculiar problems faced by Non-Commercial, Educational FM ("NCE-FM") stations with respect to VHF-TV channel six stations. Folse believes that an allotment plan can be crafted which would alleviate the technical limitations imposed on NCE-FM stations by not using VHF-TV channel six but insure continued service to Houma by K30EM and to Morgan City by K07UT and to other communities by similar, local service, LPTV stations.

Therefore, with the exception of VHF television channel six, for which special concerns exist with respect to non-commercial, educational FM stations, Folse strongly urges the Commission not to delete any spectrum currently allocated to the Television Broadcast Service unless all existing LPTV stations are adequately accommodated.

Respectfully Submitted

FOLSE PRODUCTIONS, INC.

By Its Counsel,



Bradford D. Carey  
Hardy & Carey, L.L.P.  
111 Veterans Blvd., Suite 255  
Metairie, Louisiana 70005

(504) 830-4646

Dated: January 23, 1997

**CERTIFICATE OF SERVICE**

I, Mary Vance, a secretary in the law firm of Hardy & Carey, L.L.P., do hereby certify that a copy of the above and foregoing **Reply Comments of National Religious Broadcasters' Association** has been served on each of the following by hand, this 23rd day of January, 1997.

William F. Caton, Acting Secretary  
Office of Managing Director  
Federal Communications Commission  
1919 M Street, N.W., Room 222  
Washington, D.C. 20554

Bruce Franca, Deputy Chief  
Office of Engineering and Technology  
Federal Communications Commission  
2000 M Street, N.W., Room 480  
Washington, D.C. 20554

David Siddall  
Office of Commissioner Ness  
Federal Communications Commission  
1919 Street, N.W., Room 832  
Washington, D.C. 20554

David Wye  
Wireless Telecommunications Bureau  
Federal Communications Commission  
2025 M Street, N.W., Room 5002  
Washington, D.C. 20554

Saul Shapiro, Assistant Chief  
Technology Policy  
Mass Media  
Federal Communications Commission  
1919 M Street, N.W., Room 310  
Washington, D.C. 20554

James Coltharp  
Office of Commissioner Quello  
Federal Communications Commission  
1919 M Street, N.W.  
Washington, D.C. 20554

Gordon Godfrey  
Mass Media Bureau  
Federal Communications Commission  
2000 M Street, N.W., Room 566  
Washington, D.C. 20554

Jane Mago  
Office of Commissioner Chong  
Federal Communications Bureau  
1919 M Street, N.W., Room 844  
Washington, D.C. 20554

Jackie Chorney  
Chairman's Office  
Federal Communications Commission  
1919 M Street, N.W., Room 814  
Washington, D.C. 20554

Richard Parlow\*\*  
NTIA  
Main Commerce Building  
1401 Constitution Avenue, N.W.  
Room 4099  
Washington, D.C. 20230

Richard M. Smith, Chief  
Office of Engineering and Technology  
Federal Communications Commission  
2000 M Street, N.W., Room 480  
Washington, D.C. 20554

Robert Pepper  
Chief  
Office of Plans and Policy  
Federal Communications Commission  
1919 M Street, N.W., Room 822  
Washington, D.C. 20554

Robert Eckert  
Office of Engineering and Technology  
Federal Communications Commission  
2000 M Street, N.W., Room 230  
Washington, D.C. 20554

Martin R. Leader\*\*  
Gregory L. Masters  
Fisher Wayland Cooper Leader  
& Zaragoza, L.L.P.  
2001 Pennsylvania Avenue, N.W.  
Suite 400  
Washington, D.C. 20006

David Pulido\*\*  
Executive Vice President  
Sullivan Broadcasting Company, Inc.  
18 Newbury Street  
Boston, MA 02116

Douglas W. Webbink, Chief  
Policy and Rules Division  
Federal Communications Commission  
2000 M Street, N.W., Room 536  
Washington, D.C. 20554

Victor Tawil\*\*  
Senior Vice President  
Association for Maximum Service  
Television, Inc.  
1776 Massachusetts Avenue, N.W.  
Suite 310  
Washington, D.C. 20036

Roy J. Stewart, Chief  
Mass Media Bureau  
Federal Communications Commission  
1919 M Street, N.W., Room 314  
Washington, D.C. 20554

  
\_\_\_\_\_  
MARY VANCE

\*\*By First Class Mail

s:\1730.007\970108x4.com





BARRY P. BONVILLAIN  
PARISH PRESIDENT

OFFICE OF THE PRESIDENT  
TERREBONNE PARISH CONSOLIDATED GOVERNMENT  
P.O. BOX 6097  
HOUMA, LOUISIANA 70361



(504) 873-8401  
FAX: (504) 873-8409

January 9, 1997

**TO: Federal Communications Commission**

**FROM: Barry P. Bonvillain**  
**Parish President**

**RE: Lower Power Television**

It is with great concern that I write you to ask that you consider all possible remedies to make sure the LPTV Channel 30 (K30EM) of Houma and Channel 07 (K07UT) of Morgan City remain on the air in co-existence with advanced digital television.

Before these low power stations aired local programming to our citizens, we were neglected by the high power New Orleans and Baton Rouge stations. It wasn't until our local stations covered our area that our citizens even knew what was happening in our back yard.

Both Channel 30 and Channel 07 have served our citizens tremendously in matters of civil defense in hurricane situations, as well as local news on a daily basis which informs the public of their city. Their children's programs are reaching out to our area children in a manner we have never experienced before. They have even organized an intern program for the local high schools to participate in news gathering, editing and on-air participation.

Please make every effort to ensure that our low power stations remain here for the areas that are out of the "Big City" coverage. Our smaller cities deserve and need coverage of our news events.

I hope that my plea does not fall on deaf ears. It is with hope that I ask for your utmost consideration.

Sincerely,

Barry P. Bonvillain  
Parish President

BPB:mba

c.c. Administration Files: ADM-97-002